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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

14 JAMES RAFTON, TRUSTEE OF THE  
JAMES AND CYNTHIA RAFTON TRUST,

Plaintiff.

16 || v.

17 RYDEX SERIES FUNDS; PADCO  
18 ADVISORS INC. d/b/a RYDEX  
19 INVESTMENTS, INC.; RYDEX  
20 DISTRIBUTORS, INC.; RICHARD M.  
GOLDMAN; CARL G. VERBONCOEUR;  
JOHN O. DEMARET; NICK BONOS;  
MICHAEL P. BYRUM; COREY A.  
COLEHOUR; J. KENNETH DALTON;  
WERNER E. KELLER; THOMAS F. LYDON;  
PATRICK T. MCCARVILLE; ROGER  
SOMERS; and DOES 1 through 25, inclusive.

### Defendants.

No. CV 10-01171 CRB

Action Filed: March 19, 2010

[PROPOSED] ORDER DENYING  
DEFENDANT'S MOTION TO  
TRANSFER VENUE TO DISTRICT  
OF MARYLAND PURSUANT  
TO 28 U.S.C. § 1404(A)

Date: June 25, 2010

Time: 10:00 a.m.

Dept: Courtroom 8, 19th Floor

Judge: Hon. Charles R. Breyer

1       Upon consideration of the motions and supporting papers in the above-captioned actions  
2 and for good cause shown,

3           IT IS HEREBY ORDERED THAT:

4       1.      Defendant's Motion to Transfer Venue to District of Maryland Pursuant to 28  
5 U.S.C. §1404(a) is DENIED.

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7           SO ORDERED.

8 Dated: \_\_\_\_\_, 2010

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HON. CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

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